



BellSouth Telecommunications, Inc.

Legal Department

1600 Williams Street

Suite 5200

Columbia, SC 29201

patrick.turner@bellsouth.com

Patrick W. Turner

General Counsel-South Carolina

803 401 2900

Fax 803 254 1731

June 23, 2005

Mr. Charles Terreni
Chief Clerk of the Commission
Public Service Commission of South Carolina
Post Office Drawer 11649
Columbia, South Carolina 29211

Re: BellSouth Telecommunications, Inc.'s Petition for Review of NXX Code
Denial in the Columbia Rate Center
Docket No.

Dear Mr. Terreni:

Enclosed for filing are an original and ten copies of BellSouth Telecommunications Inc.'s Petition for Review of NXX Code Denial in the Columbia Rate Center in the above-captioned matter. By copy of this letter, I am serving a copy of this document on NANPA, NeuStar, and the ORS, as indicated on the attached Certificate of Service.

Sincerely,

A handwritten signature in black ink, appearing to read "Patrick W. Turner", with a stylized flourish at the end.

Patrick W. Turner

PWT/sgm
Attachment
DM5 585916

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

In Re: BELLSOUTH TELECOMMUNICATIONS, INC.'S)
PETITION REQUESTING THE COMMISSION'S) DOCKET NO. _____
INTERVENTION IN NANPA NXX CODE)
ASSIGNMENTS)

PETITION FOR REVIEW OF NXX CODE DENIAL
IN THE COLUMBIA RATE CENTER

BellSouth Telecommunications, Inc. ("BellSouth"), pursuant to rules adopted by the Federal Communications Commission ("FCC") for challenging determinations of the North American Numbering Plan Administration ("NANPA"), petitions the Public Service Commission of South Carolina ("Commission") for review of NANPA's denial of BellSouth's application for use of central office code numbering resources in the 803 area code. The denial that is the subject of this Petition impacts BellSouth's customer, Blue Cross Blue Shield of South Carolina.

In support of this petition BellSouth states:

1. BellSouth is a telephone utility regulated by the Commission. It provides intraLATA, local exchange telecommunications services in various portions of South Carolina, including the Columbia exchange.

2. NANPA is an independent non-governmental entity that is responsible for administering and managing the North American Numbering Plan ("NANP"). See 47 C.F.R. § 52.13 (a), (b).

3. On March 31, 2000, the FCC issued a Report and Order and Further Notice of Proposed Rule Making relating to numbering resource optimization (“FCC 00-104”). The goal of FCC 00-104 was to implement uniform standards governing requests for telephone numbering resources in order to increase efficiency in the use of existing telephone numbers and to avoid further exhaustion of existing numbers under the NANP.

4. Among other things, FCC 00-104 adopted a revised standard for assessing a carrier’s need for numbering resources by requiring rate center based utilization rates to be reported to NANPA. FCC Order at ¶ 105. The FCC further required that, to qualify for access to new numbering resources, applicants must establish that existing inventory within the applicant’s rate center will be exhausted within six months of the application. The FCC reaffirmed this requirement in two subsequent orders. FCC 00-429 at ¶ 29 (rel. Dec. 29, 2000); FCC 01-362 at ¶¶ 48-49 (rel. Dec. 28, 2001). Prior to this ruling, the Central Office Code Assignment Guidelines, used by the industry and NANPA to make code assignments, required the applicant’s existing number inventory within the applicant’s serving switch to exhaust within six months of the code application or the carrier had to prove that it was unable to meet a specific customer’s request with its current inventory of numbers in order for a code to be assigned.

5. This shift to a “rate center” basis from a switch basis for determining the need for new numbering resources was intended to “more accurately reflect how numbering resources are assigned” and to allow “carriers to obtain numbering resources in response to specific customer demands.” FCC 00-104, ¶ 105.

6. In addition to the months-to-exhaust (“MTE”) requirement described above, the FCC’s rules also required carriers to meet a rate center utilization threshold of 60 percent in

order to receive additional numbering resources in a given rate center. FCC 00-429 at Paragraph 22; FCC 01-362, ¶¶ 50-52. The utilization threshold has increased by five percent per year, and it has now reached the maximum of 75 percent. Based on the FCC's orders, carriers must meet both the six months MTE requirement and the utilization threshold on a rate center basis in order to obtain numbering resources. Id.

7. On or about March 15, 2005, BellSouth submitted a Pooling Administration System request to NANPA and NeuStar for the assignment of a new NXX in the Columbia, South Carolina exchange. This NXX is needed to meet the numbering demands of Blue Cross Blue Shield of South Carolina. This customer is requesting a contiguous block of 10,000 telephone numbers to be delivered to its main location on Alpine Road, Columbia. Exhibit A is a copy of the customer's letter dated March 11, 2005.

8. BellSouth's application was completed in accordance with Industry Numbering Committee's (INC's) and/or NANPA's guidelines, and BellSouth filled out the necessary Month-to-Exhaust Certification Worksheets as required.

9. At the time of the filing of the Code request, the Columbia Rate Center had an MTE of 12.86 months and a utilization of 78.59% (Exhibit B).

10. Thereafter, also on March 15, 2005, NPA's Central Office Code Administration denied BellSouth's request for a NXX because BellSouth had not met the rate center based MTE criterion now set forth in the Central Office Code (NXX) Guidelines. NANPA denied BellSouth's code request despite the fact that BellSouth does not have adequate numbering resources needed to satisfy this customer's demands in the Columbia Rate Center. NANPA's response is also included as part of Exhibit B.

11. BellSouth's inability to provide this important customer with the requested numbers prevents BellSouth from providing the quality of service this customer desires, needs, and expects. If BellSouth is not assigned the NXX code needed to meet the customer's request, BellSouth will be unable to provide telecommunications services requested by its customer.¹ NANPA's refusal to grant numbering resources sufficient to meet the needs of this customer is inconsistent with the FCC's position that "(u)nder no circumstances should consumers be precluded from receiving telecommunications services of their choice from providers of their choice for want of numbering resources," FCC 00-429 at ¶ 61.

12. Both the FCC's rules and the Central Office Code (NXX) Assignment Guidelines provide that state regulatory authorities have the power and authority to review NANPA's decision to deny a request for numbering resources. See FCC 01-362, Appendix A, Final Rules, § 52.15(g) (4) ("The carrier may challenge the NANPA's decision to the appropriate state regulatory commission"); FCC 01-362 at ¶¶ 61-66; Central Office Code (NXX) Assignment Guidelines § 13.0 ("Appeals may include but are not limited to one or more of the following options: . . . C. The CO Code Administrator(s) and code holders/applicants may pursue the disagreement with the appropriate governmental/regulatory body").

13. Prior to the FCC's Order and the resulting change in the Central Office Code (NXX) Assignment Guidelines, the MTE procedures used by NANPA permitted a carrier to receive a code assignment, even if the MTE requirement at the switch level was not met. These

¹ BellSouth employs a number administration technique called "sequential numbering" in order to preserve the largest blocks of consecutive numbers for as long as possible. The lack of consecutive numbers in the switch referred to above is the consequence of a high level of utilization, not any failure on BellSouth's part to conserve blocks of consecutive numbers.

waivers or exceptions were granted where customer hardships could be demonstrated or where the service provider's inventory did not have a block of sequential numbers large enough to meet the customer's specific request. Under today's procedures, NANPA looks at the MTE for the entire rate center without any exceptions. The FCC has determined, however, that States may grant relief "if a carrier demonstrates that it has received a customer request for numbering resources in a given rate center that it cannot meet with its current inventory." FCC 01-362, ¶ 64. In addition, the FCC has ruled that, "States...may grant requests for customers seeking contiguous block of numbers." *Id.*

14. BellSouth requests that the Commission reverse NANPA's decision to withhold numbering resources from BellSouth on the following grounds:

- a. NANPA's decision to withhold numbering resources from BellSouth interferes with BellSouth's ability to provide telecommunication services to its customers as required under South Carolina law; and
- b. BellSouth's request for numbering resources would not materially impact exhaustion of the remaining 92 available NXXs in the 803 area code.²

15. This Commission (see Docket No. 2002 -185-C, Order No. 2002-415) and other state regulatory agencies in Alabama, Florida, Georgia, Louisiana, North Carolina, and Tennessee similarly have recognized their jurisdiction and authority to review NANPA denials and to order the release of number resources to BellSouth to meet customer needs.

WHEREFORE, BellSouth requests that the Commission:

² This count is as of February 28, 2005, the most current data published by NANPA.

1. Reverse the decision of NANPA to deny BellSouth's request for additional numbering resources;
2. Direct NANPA to provide three NXXs for the Columbia, South Carolina Rate Center; and
3. Grant the requested relief as soon as possible.

Respectfully submitted this 23rd day of June 2005.



Patrick W. Turner
Suite 5200
1600 Williams Street
Columbia, South Carolina 29201
(803) 401-2900

ATTORNEY FOR BELL SOUTH
TELECOMMUNICATIONS, INC

DM5 590568

EXHIBIT A



**BlueCross BlueShield
of South Carolina**

www.SouthCarolinaBlues.com

An Independent Licensee
of the Blue Cross and
Blue Shield Association

1-20 at Alpine Road
Columbia, SC 29219-0001
803-788-0222

To: BellSouth
From: Tom Kobliski
BCBS SC
Date: March 11, 2005

This letter is to request Bellsouth reserve a new, contiguous block of 10,000 DID numbers for BCBS. The numbers will be delivered to our main location on Alpine Rd. Please proceed as quickly as possible with this order and contact me with any questions. Thank you.

regards,

A handwritten signature in black ink, appearing to read 'Tom Kobliski'.

Tom Kobliski

Manager, Telecommunications
803-264-9500

EXHIBIT B

Pooling Administration System - Microsoft Internet Explorer provided by BellSouth

File Edit View Favorites Tools Help

Back Forward Stop Home Search Favorites Media Print Mail

Address: https://www.nationalpooling.com/pas/frames-index.jsp

Pooling Administration System

chris.nelson@bellsouth.com (SP) Sign Out

Request Resources

State: SOUTH CAROLINA
 NPA: 803
 Rate Center: COLUMBIA
 OCN: 9417-BELLSOUTH SO BELL
 Type of Application: Application for a full NXX for a Dedicated Customer

Continue Cancel

NOTE:
 If you are selecting a Rate Center that is moving to a new NPA due to a split, PAS will automatically migrate the request to the new NPA once the mandatory dialing date occurs.

Request For Resources
 Modify
 Disconnect
 Block Transfer
 Confirm Block(s) in Service (P)
 Search Forms
 Submit Forecast
 Create/Modify Forecast
 User Profile
 Donate Blocks
 Reports

Question? E-mail us
 © 1999-2005 Neustar, Inc.
 Legal Notices Privacy Agreement

Done Internet

Pooling Administration System - Microsoft Internet Explorer provided by BellSouth

File Edit View Favorites Tools Help

Back Forward Stop Home Search Favorites Media Print Mail

Address: https://www.nationalpooling.com/pas/frames-index.jsp

Pooling Administration System

chris.nelson@bellsouth.com (SP) Sign Out

Months to Exhaust and Utilization Certification Worksheet - 1N Level

Date: Saturday, June 4, 2005
 OCN: 9417
 Company Name: BELLSOUTH SO BELL
 Rate Center: COLUMBIA

List all Codes NPA(s)-NXXs and Blocks NPA(s)-NXX-X(s)

803) 333 0-2-9 (29)	691 (23)	714 (10)	735 (08)	754 (29)	786 (13)
(803) 210 0-4 (05)	935 (01)				
(803) 264 (25)	333 1 (29)	382 (17)	419 (02)	462 0-3, 6-9 (25)	699 (17)
763 (17)	788 (26)	865 (19)			
(803) 407 (19)	732 (11)	749 (17)	781 (20)		
(803) 407 (19)	732 (11)	749 (17)	781 (20)		
(803) 741 0-3, 7, 9 (08)					
(803) 213 (26)	214 (20)	216 (29)	354 9 (05)	551 (01)	561 (25)
750 (01)	772 (17)	798 (23)	896 (22)		
(803) 755 (14)	955 0-4, 6-7, 9 (10)				

Name of Block Applicant: Mr. Christopher S. Nelson
 Title: Block Administration Specialist
 Telephone Number: (205) 977-1696
 Fax Number: (205) 977-3013
 E-Mail: chris.nelson@bellsouth.com

A. Available Numbers: 105878
 B. Assigned Numbers: 610173

Question? E-mail us
 © 1999-2005 Neustar, Inc.
 Legal Notices Privacy Agreement

http://www.neustar.biz/ Internet

Pooling Administration System - Microsoft Internet Explorer provided by BellSouth

File Edit View Favorites Tools Help

Back Forward Stop Home Search Favorites Media Print Mail

Address <https://www.nationalpooling.com/pas/frames-index.jsp> Links

- Request For Resources
- Modify
- Disconnect
- Block Transfer
- Confirm Block(s) in Service (P)
- Search Forms
- Submit Forecast
- Create/Modify Forecast
- User Profile
- Donate Blocks
- Reports

Month 5	5310	Month 6	5310
Month 7	5310	Month 8	5310
Month 9	5310	Month 10	5310
Month 11	5310	Month 12	5310

G. Average Monthly Forecast (Sum of months # 1-6 (Part F above) divided by 6) 6976.667

H. Months to Exhaust ⁴ (Numbers Available for Assignment to customers (A) / Average Monthly Forecast (G))

Block Requested	A. Available Numbers	H. Months to Exhaust
1	105878	15.176

I. Utilization ⁵ (Assigned Numbers (B)) / (Total Numbering Resources (C) - Excluded Numbers (D)) * 100 76.589

Explanation

1. A copy of this worksheet is required to be submitted to the Pooling Administrator when requesting additional numbering resources in a rate center. For auditing purposes, the applicant must retain a copy of this document.
2. Net change in TNs no longer available for assignment in each previous month, starting with the most distant month as Month #1, and Month #6 as the current month.
3. Forecast of TNs needed in each following month, starting with the most recent month as Month #1.

Legal Notices Privacy Agreement

Internet

Pooling Administration System - Microsoft Internet Explorer provided by BellSouth

File Edit View Favorites Tools Help

Back Forward Stop Home Search Favorites Media Print Mail

Address <https://www.nationalpooling.com/pas/frames-index.jsp> Links

- Request For Resources
- Modify
- Disconnect
- Block Transfer
- Confirm Block(s) in Service (P)
- Search Forms
- Submit Forecast
- Create/Modify Forecast
- User Profile
- Donate Blocks
- Reports

chris.nelson@bellsouth.com (SP) Sign Out

Pooling Administration System

Months to Exhaust and Utilization Certification Worksheet TN Level (Continued)

Based on the information provided, you will not exhaust all blocks in the requested NOX in 6 months.

Select One Option and Submit

☒ Return to the Months To Exhaust Form
☐ Discard all the information provided for the request and start with a fresh Part 1A
☐ State Waiver Option

Submit Cancel

Legal Notices Privacy Agreement

Done Internet

STATE OF SOUTH CAROLINA

)

CERTIFICATE OF SERVICE

)

COUNTY OF RICHLAND

)

The undersigned, Nyla M. Laney, hereby certifies that she is employed by the Legal Department for BellSouth Telecommunications, Inc. ("BellSouth") and that she has caused BellSouth's Petition for Review of NXX Code Denial in the Columbia Rate Center to be served by the method indicated below upon the following this June 23, 2005:

Thomas C. Foley
NPA Relief Planner – Eastern Region NANPA
NeuStar – NANPA
820 Riverbend Blvd.
Longwood, FL 32779-2327
(U. S. Mail)

Ms. Kimberly Miller
Regulatory Policy Attorney
NeuStar
2000 M Street, NW, Suite 600
Washington, DC 20036-3328
(U. S. Mail)

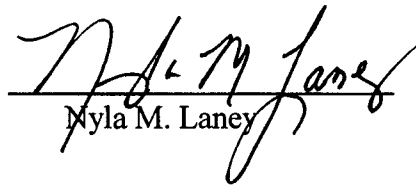
F. David Butler, Esquire
General Counsel
S. C. Public Service Commission
Post Office Box 11649
Columbia, South Carolina 29211
(PSC Staff)
(U. S. Mail and Electronic Mail)

Jocelyn G. Boyd, Esquire
Staff Attorney
S. C. Public Service Commission
Post Office Box 11649
Columbia, South Carolina 29211
(PSC Staff)
jocelyn.boyd@psc.sc.gov
(U. S. Mail and Electronic Mail)

FILED
JUN 23 2005
CLERK OF COURT
SOUTH CAROLINA

Joseph Melchers
Chief Counsel
S.C. Public Service Commission
Post Office Box 11649
Columbia, South Carolina 29211
(PSC Staff)
(U.S. Mail and Electronic Mail)

Florence P. Belser, Esquire
General Counsel
Office of Regulatory Staff
Post Office Box 11263
Columbia, SC 29211
(U. S. Mail and Electronic Mail)



Nyla M. Laney

585913